(Sultan Singh Rajpurohit Vs. Pali Zila Sahkari Bhumi Vikas Bank & Anr.)
S.B.C.Writ Petition No. 4503/2004.

18.12.2006.

HON'BLE MR MOHAMMAD RAFIQ, J.

Mr Mukesh Rajpurohit, for the petitioner.
Mr Vijay Bishnoi, for the respondents.

Heard the learned counsel for the parties.

The learned counsel for the petitioner submits that although the petitioner retired voluntarily on his request from services of the respondents by order dated 2.8.2002 w.e.f. 31st August, 2002 but the payment of retiral dues has been made to him after inordinate delay in two parts firstly; in April, 2002 and thereafter in the month of April, 2006.

On the other hand, the counsel for the respondents submits that delay in payment of retiral dues was caused on account of pendency of some writ petitions filed by the petitioner against their order revising his pay in the year 1990. Since the aforesaid writ petition was decided on 25th January, 2006 it was thereafter, that the steps were taken up for making payment of retiral dues of the

petitioner which were made in the month of April, 2006.

Even if any writ petition filed by the petitioner way back in the year 1990 is pending before this Court and was decided only in January, 2006 that could not afford any reason to the respondents not to timely make payment of retiral dues of the petitioner. Therefore, the petitioner would certainly be entitled to claim interest, but at the same time, the petitioner cannot be allowed any interest in so far as revision / pension and other dues etc. consequential to judgment delivered by this Court in January, 2006 is concerned.

Thus, the writ petition is partly allowed and the respondents are directed to pay interest @ 6% per annum for the period of delay caused in payment of retiral dues as it became due w.e.f. 31st August, 2002 and such amount of interest shall be paid to him within a period of three months from the date of service of a copy of this order.

(MOHAMMAD RAFIQ),J.

/gandhi